

JUL -26' 02 (FRI) 15:03

P. 001

10 Rec'd 29 JUL 2002

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**ALSTON & BIRD LLP**

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JUL 26 2002

**OFFICIAL** GROUP 1600

**TELECOPY**

**PLEASE DELIVER AS SOON AS POSSIBLE**

**DATE:** July 26, 2002

**TO:** TC1600

**FROM:** Kelly J. Williamson  
Patent Agent

**In re:** Kappes, et al.

**Appl No.:** 10/019,644

**Confirmation No.:** 1101

**Filed:** 7/6/00

**For:** RETROVIRAL RECOMBINATION ASSAYS AND USES THEREOF

**Attached Documents:**

Response to Notice to File Missing Parts  
Form PTO-1533  
Declaration and Power of Attorney and Cover  
Request for 2 month Extension of Time

**NO. OF PAGES:** 9  
(Including cover page)

**OPERATOR:** NON 27984 #1

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**USER CODE:** LAKE

**FAX NUMBER:** 703-872-9306

**CLIENT/MATTER:** 044276/242574

**REQUESTED BY:** Pam Lockley

**VOICE NUMBER:**

RTA01/2110098v1

Received from < > at 7/26/02 3:03:05 PM [Eastern Daylight Time]

JUL -26' 02 (FRI) 15:04

10 Root 29 JUL 2002

P. 002

Attorney's Docket No. 44276/242574 (5854-6)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Kappes, et al.

Appl No.: 10/019,644

Confirmation No.: 1101

Filed: 7/6/00

For: RETROVIRAL RECOMBINATION ASSAYS AND USES THEREOF

July 26, 2002

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

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JUL 29 2002

GROUP 1600

OFFICIAL

RESPONSE TO NOTICE TO  
FILE MISSING PARTS OF APPLICATION

Sir:

In response to the Notice to File Missing Parts of /  
the following:

2, enclosed are

- ☒ Part 2 of Formalities Letter or Form PTO-1533  
(Notice to File Missing Parts of Application)
- ☒ Declaration and Power of Attorney for the above-ic  
executed by the named inventor(s)
- ☒ Applicant claims small entity status
- ☐ Check in the amount of to cover the filing fee of and the surcharge under 37  
C.F.R. § 1.16(e)
- ☐ English Translation and \$130.00 (37 CFR 1.17(k)) fee for filing late.
- ☒ Other: Request for 2 month extension of time
- ☒ Authorized is given to charge the \$65.00 surcharge under 37 C.F.R. § 1.16(e) to our Deposit  
Account No. 16-0605.

Any additional fee or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

*Kelly J. Williamson*

Kelly J. Williamson  
Registration No. 47,179

Customer No. 00826  
ALSTON & BIRD LLP  
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<p>I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office at Fax No. 703-872-9306 on the date shown below.</p> <p><u>Pamela Lockley</u> (Type or print name of person signing certification.)</p> <p><i>Pamela Lockley</i> Signature</p> <p>July 26, 2002 Date</p>	<p>CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on July 26, 2002.</p>
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APR 1 2002

KJW



UNITED STATES PATENT AND TRADEMARK OFFICE

 Received By *Control Room for Patents, U.S. PTO*  
 Washington, D.C. 20530  
 Sampled per

U.S. APPLICATION NUMBER NO. 10/019,644	FIRST NAMED APPLICANT John C Kappes	ATTY. DOCKET NO. 44276/242574 (5854-6)
INTERNATIONAL APPLICATION NO. PCT/US00/18597		
I.A. FILING DATE 07/06/2000	PRIORITY DATE 07/09/1999	

00826  
 ALSTON & BIRD LLP  
 BANK OF AMERICA PLAZA  
 101 SOUTH TRYON STREET, SUITE 4000  
 CHARLOTTE, NC 28280-4000

CONFIRMATION NO. 1101

371 FORMALITIES LETTER



Date Mailed: 03/28/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

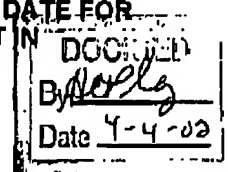
- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination
- Small Entity Statement

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

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The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.138(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- **APPLICANT MUST PROVIDE:**

- A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase Patent Software, call (703) 308-2600
- For Patent Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 305-3752

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/019,644	PCT/US00/18597	44276/242574 (5854-6)

FORM PCT/DO/EO/805 (371 Formalities Notice)